

CONFIDENTIAL
SECURITY INFORMATION

OGC HAS REVIEWED.

April 21, 1943

MEMORANDUM FOR: Mr. Walter Pforzheimer

FROM :

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So far as we can tell the formula with respect to the Director's responsibility to protect intelligence sources and methods originated in a meeting of the Joint Strategic Survey Committee of the Joint Chiefs of Staff on January 18, 1945. They were discussing the memorandum from Donovan to the President of November 18, 1944 (known then to them as J.C.S. 1181) and the plan for a central intelligence organization which came out of the historic 121st meeting of the Joint Intelligence Committee on Friday, December 22, 1944. In this proposal (J.I.C. 239/5, Paragraph 6) there was a statement that as approved by the National Intelligence Authority to be established, the operations of the departmental intelligence agencies should be open to inspection by the Central Intelligence Agency in connection with its planning function. The Joint Strategic Survey Committee recommended that the following be added: "In the interpretation of this paragraph, the National Intelligence Authority and the Central Intelligence Agency will be responsible for fully protecting intelligence sources and methods which due to their nature, have a direct and highly important bearing on military operations."

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This is the very first reference that we can find. We have looked farther back in the records of OSS and Donovan's proposals. There is no reference, either, to such responsibility in the preliminary papers drafted by the Joint Intelligence Staff for the Joint Intelligence Committee prior to the historic meeting in December. The right of inspection, so far as we can discover, appeared first in a plan offered on behalf of the armed services, known as J.I.C. 239/1. Apparently the military men had no objection to inspection at that time; provided, it was restricted to actions approved by the Secretaries who constituted the National Intelligence Authority and the Director of the proposed Central Intelligence Agency was held responsible.

The provisions for inspection and responsibility came through without change to the President's Directive of January 22, 1946 although separated in paragraphs 5 and 10, respectively. Before that they were in the letter of January 7 from the three Secretaries to the President. For your passing interest, our carbon copy of this letter shows that it was drafted by Mr. McCormack in the State Department. It was in the National Security Act of 1947 that the right of inspection was confined to intelligence as distinguished from operations.

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